

# CITY COUNCIL RESEARCH DIVISION

## LEGISLATIVE SUMMARY

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**Bill Type and Number:** Ordinance 2019-0437

**Introducer/Sponsor(s):** Council President at the request of the Mayor

**Date of Introduction:** June 11, 2019

**Committee(s) of Reference:** NCSPHS

**Date of Analysis:** June 13, 2019

**Type of Action:** Ordinance Code amendment

**Bill Summary:** The bill amends Ordinance Code Chapter 609.109 – Code Enforcement Citations – to reclassify an offense of Chapter 420 – Fire Prevention Code – from a Class “B” to a Class “D” offense. This reclassification will put the Fire Prevention Code in compliance with the Building Code that currently is a Class “D” offense when violated. Additionally, it is anticipated that this reclassification will serve as a deterrent for continued violation of the Florida Fire Prevention Code making it necessary and appropriate in the interest of public safety and welfare.

**Background Information:** Section 321.104 of the Ordinance Code adopts the Fire Prevention Code as part of the Building Code. A violation of Chapter 321 – Adoption of Building Code – or Chapter 320 – Construction Regulations and Building Code – is a Class “D” offense of the Ordinance Code. By reclassifying an offense of Chapter 420 – Fire Prevention Code – from a Class “B” to a Class “D”, it places an offense of the Fire Prevention Code on the same level as an offense of the Florida Building Code. Pursuant to Florida Statute 553.73, the Florida Fire Prevention Code is to be referenced in the Florida Building Code. The penalty for a Class “B” offense is \$80.00. The penalty for a Class “D” offense is \$255.00

**Policy Impact Area:** Code Enforcement Citations

**Fiscal Impact:** With this reclassification, a violation of Chapter 420 will result in an increase in civil penalties. Pursuant to City Ordinance 420.115(b), the entirety of the increased penalties will be deposited into the General Fund and are not to be considered as proceeds to be deposited into the Police and Fire Pension Fund. The City of Jacksonville will not incur any additional expenses from this reclassification.

**Analyst:** Baltiero